

REMARKS

The Office Action dated August 15, 2003 has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto. By this Amendment, claims 1-8 have been cancelled and claims 9-26 have been added to more particularly point out and distinctly claim the invention. No new matter has been added or amendments made that narrow the scope of any elements of any claims. Accordingly, claims 9-26 are pending in this application and are submitted for consideration.

Applicants acknowledge and thank the Examiner for indicating that original claims 7 and 8 would be allowable over the prior art if amended to be in independent form.

Claims 1-4 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. By this amendment, claims 1-4 have been cancelled. Therefore, the rejection is moot.

Original claims 1-2 and 5-6 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tozaki et al. (U.S. Patent No. 5,729,516, "Tozaki"). In making this rejection, the Office Action took the position that Tozaki discloses all the elements of the claimed invention. By this amendment, claims 1-2 and 5-6 have been cancelled. Therefore the rejection with respect to these claims is moot.

However, Applicants submit that newly added claims 9-26 recite subject matter that is neither disclosed nor suggested by Tozaki.

Newly added claim 9 recites an information recording system for recording a data structure on a recording medium. The data structure includes a record information area

having record information, a first identifying information area having first identifying information, and a second identifying information area having second identifying information on the recording medium. The record information includes 1) a plurality of first recording units, 2) one or more second recording units each of which contains one or more the first recording units and 3) one or more logical units each of which consists of one or more the first recording units. The first identifying information corresponds to each of the one or more second recording units and specifies an editing state of a corresponding second recording unit. The second identifying information corresponds to each of the one or more logical units and specifies an editing state of a corresponding logical unit.

Newly added claim 12 recites an information recording system for recording a data structure on a recording medium. The data structure includes a record information area having record information, a first identifying information area having first identifying information, and a second identifying information area having second identifying information on the recording medium. The record information includes one or more recording units and one or more logical units which can be set by a user. The first identifying information corresponds to each of the one or more recording units and specifies an editing state of a corresponding recording unit. The second identifying information corresponds to each of the one or more logical units and specifies an editing state of a corresponding logical unit.

Newly added claim 15 recites an information recording method including the steps of: recording record information on a recording medium; recording first identifying information on the recording medium; and recording second identifying information on

the recording medium. The record information includes 1) a plurality of first recording units, 2) one or more second recording units each of which contains one or more the first recording units and 3) one or more logical units each of which consists of one or more the first recording units. The first identifying information corresponds to each of the one or more second recording units and specifies an editing state of a corresponding second recording unit. The second identifying information corresponds to each of the one or more logical units and specifies an editing state of a corresponding logical unit.

Newly added claim 18 recites an information recording method including the steps of: recording record information on a recording medium; recording first identifying information on the recording medium; and recording second identifying information on the recording medium. The record information includes one or more recording units and one or more logical units which can be set by a user. The first identifying information corresponds to each of the one or more recording units and specifies an editing state of a corresponding recording unit. The second identifying information corresponds to each of the one or more logical units and specifies an editing state of a corresponding logical unit.

Newly added claim 21 recites an information recording medium encoded with a data structure. The data structure includes record information including 1) a plurality of first recording units, 2) one or more second recording units each of which contains one or more the first recording units and 3) one or more logical units each of which consists of one or more the first recording units. The data structure further includes first identifying information corresponding to each of the one or more second recording units

and specifying an editing state of a corresponding second recording unit, and second identifying information corresponding to each of the one or more logical units and specifying an editing state of a corresponding logical unit.

Newly added claim 24 recites an information recording computer readable medium encoded with a data structure. The data structure includes record information, first identifying information and second identifying information. The record information includes one or more recording units and one or more logical units which can be set by a user. The first identifying information corresponds to each of the one or more recording units and specifies an editing state of a corresponding recording unit, and the second identifying information corresponds to each of the one or more logical units and specifies an editing state of a corresponding logical unit.

Tozaki discloses a recording apparatus for recording information onto an information medium, and a reproducing apparatus for reproducing the information from the information recording medium. Specifically, Tozaki relates to the control of copying information recorded on the information recording medium. Fig. 1 discloses the physical and logical structure of the DVD according to Tozaki. As shown on Fig.1 lead in area LI is located at the innermost circumferential portion of the DVD and lead out area LO is located at the outermost circumferential portion of the DVD. Between LI and LO video information and audio information is recorded in the manner such that they are divided into plurality of video title sets (VTS)³, each of which has a unique identification number (VTS#1-VTS#n). A video manager 2 is provided containing information related to the whole video and audio information recorded on the DVD. Video manager 2 includes information such as a menu for accessing each title, information for preventing

an illegal copy, or an access table for directly accessing specific titles recorded on the DVD. A (VTS)3 is recorded such that it is divided into a plurality of video object units (VOB)10, each of which has an identification number (VOB ID#1-VOB ID#n), in a control data 11. Control data 11 includes information related to a program chain as a logical division obtained by combining a plurality of cells. In each (VOB)10, a substantial portion of the video and audio information and the control information is recorded. One (VOB)10 is constructed of a plurality of cells 20, each of which has an ID# (cell ID#1-cell IDn).

The Office Action asserted that Fig. 1 of Tozaki discloses a recording apparatus having a control means for recording information on a recording medium, the medium (Figs. 3-5, columns 8-10) comprising: a first recording area on which recording information is recorded as a set of one or more recording unit; a second recording area on which control information for controlling the recording information to be recorded on the first recording area is recorded, and col. 10 discloses identifying information for identifying a management condition of the recording information recorded on the first recording area is recorded at every recording unit (column 10).

The Office Action further took the position that Tozaki teaches in Figs. 3-5 the set of the recording unit comprises a first set of one or more recording unit, and a second set of one or more first set, and that the identifying information identifies the management condition of the recording information recorded on the first recordings area as a set of the first set and second set.

However, Applicants submit that Tozaki fails to disclose or suggest an information recording system or method for recording a data structure on a recording

medium, the data structure having a record information area having record information, a first identifying information area having first identifying information, and a second identifying information area having second identifying information on the recording medium, the record information including 1) a plurality of first recording units, 2) one or more second recording units each of which contains one or more the first recording units and 3) one or more logical units each of which consists of one or more the first recording units. Where the first identifying information corresponds to each of the one or more second recording units and specifies an editing state of a corresponding second recording unit and the second identifying information corresponds to each of the one or more logical units and specifies an editing state of a corresponding logical unit, as recited in newly added claims 9 and 15.

Tozaki also fails to disclose or suggest an information recording system or method for recording a data structure on a recording medium, the data structure having a record information area having record information, a first identifying information area having first identifying information, and a second identifying information area having second identifying information on the recording medium, wherein the record information includes one or more recording units and one or more logical units which can be set by a user, wherein the first identifying information corresponds to each of the one or more recording units and specifies an editing state of a corresponding recording unit, and wherein the second identifying information corresponds to each of the one or more logical units and specifies an editing state of a corresponding logical unit, as recited in claims 12 and 18.

Tozaki also fails to disclose or suggest an information recording medium encoded with a data structure; wherein the data structure includes record information including 1) a plurality of first recording units, 2) one or more second recording units each of which contains one or more the first recording units and 3) one or more logical units each of which consists of one or more the first recording units. The data structure further includes first identifying information corresponding to each of the one or more second recording units and specifying an editing state of a corresponding second recording unit and second identifying information corresponding to each of the one or more logical units and specifying an editing state of a corresponding logical unit, as recited in newly added claim 21.

Tozaki also fails to disclose or suggest an information recording computer readable medium encoded with a data structure, wherein the data structure includes record information, first identifying information and second identifying information. The record information includes one or more recording units and one or more logical units which can be set by a user, the first identifying information corresponds to each of the one or more recording units and specifies an editing state of a corresponding recording unit, and the second identifying information corresponds to each of the one or more logical units and specifies an editing state of a corresponding logical unit, as recited in newly added claim 24.

Newly added claim 10 is dependent on claim 9 and further recites that the first identifying information indicates whether a corresponding second recording unit is in a logically erased state.

Newly added claim 11 is dependent on claim 9 and further recites that the second identifying information indicates whether a corresponding logical unit is to be protected.

Newly added claim 13 is dependent upon claim 12 and further recites that the first identifying information indicates whether a corresponding recording unit is in a logically erased state.

Newly added claim 14 is dependent upon claim 12 and further recites that the second identifying information indicates whether a corresponding logical unit is to be protected.

Newly added claim 16 is dependent upon claim 15 and further recites that the first identifying information indicates whether a corresponding second recording unit is in a logically erased state.

Newly added claim 17 is dependent upon claim 15 and further recites that the second identifying information indicates whether a corresponding logical unit is to be protected.

Newly added claim 19 is dependent upon claim 18 and further recites that the first identifying information indicates whether a corresponding recording unit is in a logically erased state.

Newly added claim 20 is dependent upon claim 18 and further recites that the second identifying information indicates whether a corresponding logical unit is to be protected.

Newly added claim 22 is dependent upon claim 21 and further recites that the first identifying information indicates whether a corresponding second recording unit is in a logically erased state.

Newly added claim 23 is dependent upon claim 21 and further recites that the second identifying information indicates whether a corresponding logical unit is to be protected.

Newly added claim 25 is dependent upon claim 24 and further recites that the first identifying information indicates whether a corresponding recording unit is in a logically erased state.

Newly added claim 26 is dependent upon claim 24 and further recites that the second identifying information indicates whether a corresponding logical unit is to be protected.

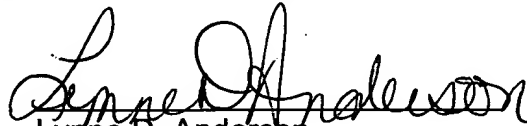
Therefore, it is submitted that claims 10, 11, 13, 14, 13, 14, 16, 19, 22, 23, 25, and 26 are also patentable over the prior art of record.

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of claims 9-26, and the prompt issuance of a Notice of Allowability are respectfully solicited.

If this application is not in condition for allowance, the Examiner is requested to contact the undersigned at the telephone listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107156-09069.**

Respectfully submitted,
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Enclosures: Petition for Extension of Time

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